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Court asks Nixon to say if he will balk at exam

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Washington—Federal Judge John J. Sirica said yesterday he wants to know whether objections by Richard M. Nixon are likely to delay a court-ordered medical examination of the former President, who has been subpoenaed as a witness in the Watergate cover-up trial.

After the three doctors appointed to determine the condition of Mr. Nixon requested further court guidance, Judge Sirica called Herbert J. Miller, attorney for the former President, to United States District Court.

The judge asked Mr. Miller to report back to the court by Tuesday on whether there would be any legal resistance to the plan to have the medical panel examine the health records of the former chief executive and probably Mr. Nixon himself. The former President is recuperating at his San Clemente (Calif.) estate after being hospitalized for surgery and complications following it.

Dr. Charles A. Hufnagel,

chairman of the panel of doctors appointed by Judge Sirica two days ago, has said the specialists will undertake their mission only after complete arrangements have been made by the court.

Mr. Miller said he had not spoken with Mr. Nixon for some time but was planning to go to California within the next few days to confer with his client. The attorney assured the judge he would report back to the court by Tuesday or sooner.

Time stressed

The importance of the time element in the medical assessment of Mr. Nixon's condition was stressed by William S. Frates, attorney for John D. Ehrlichman, former White House domestic adviser who is one of five Watergate defendants.

It was Ehrlichman who subpoenaed Mr. Nixon, contending the testimony of the former President was "indispensable" to his defense.

An additional factor in settling the question of whether Mr. Nixon will be able to testify here or in California, or will give a deposition to be shown in court on videotape, was an announcement by the

prosecution that it was close to winding up its case.

James F. Neal, leader of the prosecution team, said he expected to complete testimony and the playing of White House tapes by Thursday. Optimistic speculation by the judge ensued that the trial might be over before Christmas.

Meantime, the Watergate jury spent most of yesterday listening to a defense effort to prove genuine concern on the

part of H. R. Haldeman, former White House chief of staff, that an FBI probe of the Mexican links in the Watergate burglary might uncover Central Intelligence Agency operations in Latin America.

Walters examined

Lt. Gen. Vernon B. Walters, deputy director of the CIA, was cross-examined by Frank Strickler, representing Mr. Haldeman, regarding memoranda sent by the intelligence agency to the FBI about the

possibility of such collision of interests.

The White House tape of June 23, 1972, six days after the burglary, showed Mr. Haldeman noting that CIA involvement was one FBI theory about the political break-in and suggesting that the agency be used to persuade the FBI to limit its investigation.

General Walters conceded he had been told by Richard M. Helms, then-director of the CIA, that although the agency was not involved in Watergate, it was possible an FBI probe in Mexico could uncover money-moving techniques of the agency.

Mr. Neal contended the "real issue" involved was whether it could be proved that Mr. Haldeman knew of CIA operations in Mexico when he suggested that General Walters go to the FBI and request they limit their Watergate inquiries.

Mr. Helms, now ambassador to Iran, has been asked to take the witness stand at the Watergate trial to testify regarding what has been termed a "strange memorandum" he wrote on June 28, 1972, in which he suggested a limitation on the FBI investigation south of the border.

On trial with Mr. Haldeman and Ehrlichman are John N. Mitchell, former attorney general, Robert C. Mardian, former assistant attorney general, and Kenneth W. Parkinson, former Nixon campaign attorney. The five are charged with obstruction of justice in the Watergate coverup.